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MAILED
OCT 12 2010
OFFICE OF PETITIONS

In re Application :
Ibe, et al. :
Application No. 10/688,608 : PATENT TERM ADJUSTMENT
Filing or 371(c) Date: October 17, 2003 :
Dkt. No.: 08-1243-US :

This is in response to the "REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT," filed September 2, 2010. This matter is being properly treated pursuant to 37 CFR 1.705(b).

The request for reconsideration of patent term adjustment is **GRANTED**.

Applicant submits that the correct patent term adjustment to be indicated on the patent is 59 days, not 75 days as calculated by the Office as of the mailing of the initial determination of patent term adjustment mailed June 8, 2010. Applicants assert that the adjustment is subject to reduction in connection with the submission on January 2, 2008.

A review of the record reveals that, as argued, the patent term adjustment is subject to further reduction in connection with the submission filed January 2, 2008. The reduction totalling 16 days commenced December 18, 2007 and ended January 2, 2008. See, 37 CFR 1.704(c)(8).

In view thereof, as of the time of allowance, the application is entitled to a patent term adjustment of 59 days, as argued

The \$200.00 patent term adjustment application required per 37 CFR 1.18(e) has been charged to the authorized deposit account.

The application file is being forwarded to the Office of Data Management for issuance of the patent. The patent term adjustment indicated on the patent (as shown on the Issue Notification mailed about three weeks prior to patent issuance) will include any additional adjustment accrued both for Office delay in issuing the patent more than four months after payment of the issue fee and satisfaction of all outstanding requirements, and for the Office taking in excess of three years to issue the patent (to the extent that the three-year period does not overlap with periods already accorded).

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3205.

/ALESIA M. BROWN/

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Enclosure: Adjusted PAIR Calculation